From: Richard54b
To: Microsoft ATR
Date: 11/16/01 9:15am
Subject: Antitrust settlement

I think the US enforcement of anti-trust is way off the mark in the
Microsoft settlement.

Suppose I had a business with $1,000,000 of revenues and $50,000 a year in
profits and have no deep pockets.
Some company with deep pockets (i.e. Microsoft, GE, etc.) could come in a
sell at cost for a year or two and drive me out, and then have a business
that produces 5% return on sales indefinitely.

Netscape, not Microsoft, created a full fledged browser.
It's OK with me that Microsoft wanted to compete in the market.
To me, they should have had to sell above their cost, including development,
as well as support, unless they were already priced above Netscape.
It's easy to drive another company out of business by giving away the
product if you have more resources.
I would have suggested a fine to the effect " Great, you want to help the
American Consumer by giving away software. Since you have decided to give
away the browser and bundle so much into it, we are going to let (REQUIRE)
you to bundle Microsoft Office for the next 5-10 years also for no cost and
support it. This way you can really help the American Consumer that you
love so much."

I have heard of a company that has drivers who frequently took a day or two
off to go fishing, get drunk, or whatever. When the driver returned, the
company told them to take 2 more days off with no pay, as the company
decided the driver should have 2 more days off. The driver said that he
needed the pay and couldn't afford to miss the extra 2 days. The company
said it couldn't service it's customers when the driver didn't show up and
the employment obligation was for the driver to show up. This quickly
solved the problem and it would quickly solve Microsoft's problem of
competing unfairly. If they give away more software in the future, Windows
could be free for 2-3 years to help them see how too much of a good thing is
a disaster.

I love the competitiveness of the software industry that gives us decent
products at great prices. It has one terrible drawback that is caused by
monopoly. We are stuck with the weaknesses of their product. Windows is
incredibly weak with security. The old IBM 360's were 100 times harder to
hack into then today's Windows products. Letting Microsoft dominate by
acquiring more software monopolies in sectors where they didn't create the
original software is hurting consumers as well as the original software
creators. It's similar to me of letting a huge generic pharmaceutical
company immediately produce knock-offs of successful drugs, without honoring
patents. Maybe software should have a 2-3 year 'patent' and when Microsoft

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or some other 'powerhouse' wants to enter the market, they can't sell below certain thresholds, so it's fair competition.

Richard Barron